

LAW REFORM COMMISSION

STRATEGY STATEMENT
2024 -2026



**COIMISIÚN UM
ATHCHÓIRIÚ AN DLÍ
LAW REFORM
COMMISSION**

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FOREWORD

On behalf of the Law Reform Commission, I am pleased to introduce our Strategy Statement for 2024 - 2026.

This Statement identifies the values and objectives of the Commission and the strategies which we will pursue in order to achieve our objectives, fulfil our statutory mandate, and perform our functions of ensuring that the laws of Ireland are suitable for a modern State and are accessible to all.

The Strategy Statement sets out the key objectives for our work during the three years of its time frame, namely, completing the remaining law reform research projects in our Fourth Programme of Law Reform, and insofar as possible, completing, or otherwise making significant progress in relation to, the projects contained in our Fifth Programme of Law Reform. The Commission engaged in a review of the Fifth Programme in the summer of 2023. Following that review, which was conducted with the consent and approval of the Attorney General, the Commission concluded that some projects no longer represented the best use of the Commission's resources. The full outcome of that review has been published on the Commission's website. This review and rationalisation of the Fifth Programme ensures that the Commission's research agenda remains contemporary and relevant.

The Commission will also continue with and further develop our Access to Legislation work, including the Statute Law Revision Programme. We will continue to apply a digital-by-design approach in developing our Access to Legislation work.

Constant review and improvement of the Commission's working methods and methodology will continue so that the quality of the Commission's service to the community will be enhanced.

We continue to develop the Commission as a centre of research excellence. We will continue to build links to strengthen the Commission's connection to the community, civil society, and other key stakeholders. We will also strive to ensure that the Commission's law reform publications are practical, relevant, solutions-driven and focused on the end-users of legislation.

The Commission is confident that the strategy identified in this Statement will enable us to continue to provide a comprehensive service to the public and to the State by keeping the law under independent, impartial, and expert review, by making ongoing recommendations for law reform and by working to make current legislation accessible online for all.

2025 will be the 50th anniversary of the Commission's founding Act, and we will mark this with special events and initiatives.

The Hon Mr Justice Frank Clarke, President

MISSION STATEMENT

To keep the law under independent, objective, and expert review, to make recommendations for law reform and to make current legislation accessible for all.

OVERVIEW OF THE LAW REFORM COMMISSION

Law Reform

The purpose of the Law Reform Commission is to review the law independently and objectively, and to make proposals for reform. We make proposals to reform and modernise Irish law, and to make it:

- easier to access
- easier to understand and
- easier to follow.

Our proposals are developed in a process which starts with a Consultation Paper. Consultation Papers examine the law and set out questions on possible changes to the law. Once a Consultation Paper is published, we invite submissions on possible changes to the law. We consult widely, consider the submissions we have received and then publish a Report setting out the Commission's analysis and recommendations.

Many of the Commission's proposals have led to changes in Irish law.

You can read all our publications at www.lawreform.ie.

Access to Legislation

We make legislation more accessible to the public. We do this by offering three resources:

The **Legislation Directory** is an online directory of amendments to primary and secondary legislation and important related information.

Revised Acts bring together all amendments and changes to an Act in a single text that you can search online. They include:

- All textually amended Acts enacted from 2004 on (except for Finance Acts and the Social Welfare Consolidation Act 2005, which is in preparation).
- A large number of selected Revised Acts that were enacted before 2004.

The **Classified List** is an online database of all Acts of the Oireachtas that remain in force organised into 36 subject-based headings or titles. The Classified List makes it easier to find related legislation on a particular subject. It is the only publicly available resource that does this.

Further, the Access to Legislation team is working on the **Statute Law Revision Programme**. The programme reviews older legislation to decide what should be retained and what should be removed from the Statute Book. The present stage of the programme involves first, supporting the enactment of a Statute Law Revision Bill dealing with secondary legislation from 1821 to 1860 and second, reviewing secondary legislation from 1861 to 1922. Aside from charters and patents, this is the final stage of the programme in relation to pre-Independence legislation. It will clarify the existing law by

identifying what secondary legislation from that period is still in force, and identifying what should be retained and what revoked, to be followed by a public consultation and the preparation of a further Statute Law Revision Bill.

Our mandate is provided for by law

The Law Reform Commission was established by the Law Reform Commission Act 1975 to keep the law under independent, objective, and expert review.

OPERATING ENVIRONMENT

The Commission will continue to perform its functions in an efficient and cost-effective way while still delivering an excellent service to the public. We cannot succeed if we do not work effectively with others, both inside and outside the public service. To this end, we actively review and adapt our consultation process so that we can avail of a wide range of ideas and analysis.

Progress towards the achievement of the Key Objectives set out in this Strategy Statement will be carefully monitored and reviewed. The Commission will also review and identify general internal and external trends and developments relevant to its work and will adapt and update its approach as needed throughout the lifetime of the Strategy Statement.

In the design and future implementation of this strategy, the Commission is informed by developments across the civil and public service particularly the Civil Service Renewal Strategy 2030 strategy framework, as currently reflected in the Civil Service Renewal 2024 Action Plan.

The Action Plan's focus on Digital First, Innovation, Workforce Organisation, and evidence informed policy reflects the Commission's statutory mandate and strategy.

Values

In carrying out our role, we place a particular emphasis on a number of key values:

- Integrity: we strive to ensure excellence, independence, and objectivity in our research by upholding the highest ethical standards and acting with honesty and integrity.
- Collaboration: through engagement and consultation we work with those who use and are affected by the law, including members of the public, civil society, and the academic and legal communities; we gather insights and ensure all perspectives are considered in our research.
- Transparency: we are dedicated to transparency in our processes, decision making and communication to help foster trust amongst our stakeholders and wider society.
- Customer Focus: we aim to provide an accessible, effective, and efficient service to our end-users in both our Law Reform and Access to Legislation work and to keep their interests at the heart of our work.
- Fairness: we will ensure the promotion of human rights and equality in the work that we do.

Relationships

The Commission maintains a range of important relationships with external individuals and organisations.

The Commission recognises the particular importance of its relationship with the Attorney General and the Office of the Attorney General. Under section 4(2) of the *Law Reform Commission Act 1975*, the Attorney General may request that the Commission examine and conduct research on particular areas of the law (that is, in addition to the projects in our Programmes of Law Reform), which the Commission must then examine. Where such requests are made, the Commission will adapt its work programme to take account of the resources required to fulfil its obligations to the Attorney General.

The Director General of the Attorney General's Office is the accounting officer for the Commission.

A Consultative Committee, under the aegis of the Office of the Attorney General, also has assigned responsibilities in relation to law reform, including assisting the Attorney General on specific aspects of law reform, notably in liaising with the Commission on a draft Programme of Law Reform. The Committee comprises representatives of the Attorney General's Office, the Law Reform Commission, each Government Department, the Bar Council and the Law Society.

The Commission maintains ongoing contacts with the Department of Justice. This is especially important because that Department plays an important role in supporting the work of the Commission, both generally and in the implementation of many of the law reform recommendations of the Commission.

In collaboration with other stakeholders, the Commission will continue to contribute to the development of online legislative resources, including the implementation of the proposals in the Commission's *Report on Accessibility of Legislation in the Digital Age* (LRC 125-2020).

Members of the judiciary, solicitors and practising barristers, academic lawyers, Departmental representatives, non-governmental organisations and other statutory bodies and agencies, experts in various non-legal areas of relevance, representatives of interest groups and members of the public provide outside expertise and work collaboratively with us, which is of great benefit to the Commission.

The Commission also appears periodically before Oireachtas Committees to discuss its work, notably the Oireachtas Committee on Justice and Equality.

The Commission participates in information sharing and best practice discussions and meetings with other law reform agencies in neighbouring jurisdictions and beyond and maintains a working relationship with them.

Resources

The Commission is committed to using the resources it receives in the most effective manner to ensure its objectives are met. In particular, the Commission continues to pursue the use of shared services wherever possible. The Commission also applies best practice in human resource policies and in connection with financial management, and our financial statements are audited annually by the Comptroller and Auditor General.

Information and Communications Technology is harnessed wherever possible to improve performance and deliver a consistently high-quality service economically. To facilitate blended working, the Commission upgraded its existing ICT systems and migrated to Office 365 software and SharePoint for electronic records management. The Commission continues to move towards greater use of e-publishing on its website in order to reduce both the output cost of producing printed reports and to ensure the widest possible audience for its publications. E-publishing also reduces the environmental impact created by the printing of consultation papers and reports.

The Commission recognises the importance of delivering high quality outputs and of demonstrating the ongoing relevance and importance of keeping the law up to date, accessible and accurate, including through its Access to Legislation work which is published exclusively online in accordance with GovTech and the “digital first” policy.

The Commission utilises social media platforms, including LinkedIn and X, as a tool to increase public awareness of our work and engage with our stakeholders in the digital landscape, with an aim to expand knowledge of our research and understanding of our role.

Staff Contribution and Development

The staff of the Commission are its key asset. Clear and open lines of communication, definition of roles and responsibilities, and a team-based approach are aspects of the Commission’s approach to the involvement and development of its staff. The Commission is committed to providing opportunities to all members of staff to develop to their full potential through training and development and to improving performance through the Performance and Management Development System (PMDS).

Commissioners

The five members of the Commission are collectively responsible for promoting the success of the Commission by leading and directing its activities. They provide strategic direction to the Commission and monitor the activities and effectiveness of its management.

A coordinating Commissioner is nominated for each law reform project. The coordinating Commissioner offers strategic guidance on the project, leading the research team in developing and preparing papers for consideration by the Commission and ensuring the progress of the project.

KEY OBJECTIVES

Five key objectives have been identified based on the analysis in this statement and represent the Commission's commitment to delivery for the period 2024-2026. Monitoring arrangements to ensure our targets are being met are summarised in the final section of this Strategy Statement.

KEY OBJECTIVE 1

LAW REFORM

To review the law and to conduct research with a view to developing, simplifying, modernising, and codifying the law of Ireland.

Outcome

Expert and thoroughly researched publications containing proposals for law reform, available in published form, which contribute to the development of laws that are responsive to the contemporary and anticipated needs of society in Ireland.

Performance Indicators

Make recommendations for reform of the law in published reports on the remaining projects in the *Fourth and Fifth Programmes of Law Reform* and requests from the Attorney General to examine specific areas of law.

Strategy

1. Review of the role, function and methodology of the Commission having regard to the available human and financial resources so as to adopt the most focussed and efficient approach possible.
2. Take into account the recommendations from the IPA Governance Report on the Commission in 2023.
3. Expand the Commission's access to legal expertise by procuring work from consultant expert academics and practitioners.
4. Publish Commission-approved Consultation Papers for public consultation.
5. Publish Commission-approved Reports with final recommendations for law reform and, where required, a draft Bill or draft Scheme of Bill.
6. Make preparations for a new Sixth Programme of Law Reform as the Fifth Programme progresses towards completion.
7. Facilitate active participation of co-ordinating Commissioner in individual projects as determined by the Commission.
8. Promote equality and human rights in the law reform work of the Commission.
9. Put the end-user of proposed legislation at the forefront of the Commission's proposals for law reform.

NOTE

The Full-Time Commissioner has overall responsibility and accountability for meeting this Key Objective.

KEY OBJECTIVE 2

LEGAL RESEARCH

To support the Commission by providing high-quality, impartial, and objective legal research.

Outcome

Expert and thoroughly researched research papers containing analysis of legal trends and developments relevant to the Commission's programme of work.

Performance Indicators

1. Effective research processes and procedures maintained.
2. High quality research papers produced and submitted for discussion and review by Commission.

Strategy

1. Assign and manage research resources in the Commission effectively and efficiently.
2. Develop research papers for consideration by the Commission.
3. Develop a core team of highly skilled permanent legal researchers, so that the Commission is a recognised centre of expertise and research excellence, and that institutional memory is retained and protected.
4. Monitor the content of legal research (which includes analysis of current law and relevant comparative and international law) and the effective use of legal information sources.
5. Engage in suitable and thorough public consultation processes, and review outcomes of those processes.
6. Develop, under the direction of the Commission, draft publications such as Consultation Papers, Discussion Papers, and Reports.
7. Monitor and review effectiveness and efficiency of legal research process.
8. Access, through procurement of services and cooperation with universities, relevant expertise on issues of law and policy as they arise in the Commission's work.
9. Maintain relationships with other law reform bodies, to inform comparative analysis and to enhance understanding of policy methods in other jurisdictions.

NOTE

The Director of Research has overall responsibility and accountability for meeting this Key Objective.

ACCESS TO LEGISLATION

To make available online timely information on the current state of all in-force legislation; to make available online more administrative consolidations of Acts in their current, as-amended, state (Revised Acts); and to continue the work of the Statute Law Revision Programme (SLRP).

Outcome

Online searchable indexes of amendments to all legislation and related information (comprising the Legislation Directory of primary and secondary legislation and the Classified List of In-Force Legislation in Ireland) to facilitate ascertaining the current state of all amended legislation; increased number of 500 Revised Acts (full text of Acts in their as-amended form); and continuation of the work of the Statute law Revision Programme (SLRP).

Performance Indicators

1. Production and maintenance of the Legislation Directory for publication on the electronic Irish Statute Book (eISB).
2. Development of the Legislation Directory to indicate commencement status of amending provisions, thereby addressing an accessibility issue and trap for users, and further integration of the Legislation Directory and the Classified List to facilitate coordinated updates and enhance user access.
3. Publication of a growing number of Revised Acts on the Commission website, linked from eISB, and improved presentation of Revised Acts.
4. Maintenance of an online, searchable Classified List of In-Force Legislation on the Commission website.
5. Quality assurance standards agreed and applied to Legislation Directory, Revised Acts and Classified List of In-Force Legislation.
6. Progress towards completion of the work of the Statute Law Revision Programme (SLRP) concerning pre-1922 secondary instruments from 1861 to 1922, and publication online for consultation of a Scheme of Statute Law Revision (Pre-1922 Secondary Instruments) Bill.

Strategy

1. Examination of legislation enacted or made, so as to identify all amending provisions.
2. Provision of frequent updates to the Legislation Directory, comprising a complete list of all recent amendments, together with commencement information, related secondary legislation and other information, for publication on the eISB.

3. Display of commencement information in relation to amending legislation in the Legislation Directory. Undertake the implementation of this display to result in reliable commencement information in relation to amendments available for Acts back to 2001.
4. Integration of the Legislation Directory and Classified List databases maintained with the objective of coordinating updates, and with the longer-term objective of merging the databases, so that the Legislation Directory and the Classified List are different facets of the same database.
5. The existing 480 (November 2023) Revised Acts (administrative consolidations) increased to 500, including all textually amended post-2000 Acts (other than Finance Acts), for publication on the Commission website, each Revised Act linked from the eISB.
6. The presentation of Revised Acts redesigned to make them more usable, accessible, and attractive.
7. Preparation of additional Revised Acts in response to requests from Government Departments and other users and working towards a complete set of textually amended Revised Acts back to 2000 (currently complete to 2004).
8. Continued provision of updates to the Classified List of Legislation for publication, in html format with hyperlinks to Revised Acts and Acts as enacted, on the Commission website and with link from the eISB.
9. Continued implementation of a robust and effective system for ascertaining and ensuring accuracy of material produced for publication.
10. Use of best available resources in information technology to support the work, including maintaining awareness of relevant developments in the IT area.
11. Maintenance of relationships with other organisations working in the area to keep abreast of any developments in best practice in the field.
12. Maintenance of relationships with Government Departments and other stakeholders to continue to improve the quality and relevance of our outputs.
13. Continued participation in relevant Government initiatives concerning eLegislation and Accessibility of Legislation, and provision of material for publication on the Commission website.

NOTE

The Access to Legislation Manager has overall responsibility and accountability for meeting this Key Objective.

KEY OBJECTIVE 4

ADMINISTRATION

To provide effective, modern, and professional corporate administrative and business services to the Commission so as to support it in meeting its objectives.

Outcome

A positive working environment where the Legal and Corporate Services team and the Library and Information Service support the legal work of the Commission by providing excellent corporate business support services, including:

- human resource management,
- financial management,
- legal and corporate support,
- information technology, and
- library and information services.

Performance Indicators

1. Staff, services, and systems working together effectively to deliver on the Commission's mission statement.
2. Expenditure on non-pay remaining within budgetary limits set by the Department of Public Expenditure and Reform.
3. Recruitment and selection of staff while remaining within our pay budget set by the Department of Public Expenditure and Reform, and the Commission following correct procedures within our recruitment licence's criteria.
4. Library and legal information resources are managed effectively and efficiently within the allocated annual budget for the creation of a knowledge hub that serves as a valuable resource to the Commission's legal research, offering a diverse collection of resources, digital access, and personalised support.

Strategy

1. Maintain satisfactory office accommodation facilities, keeping arrangements under regular review.
2. Provide a high standard of clerical and legal support service to the Commission.
3. Ensure optimal use of human resources through implementing best practice in modern human resource management.
4. Ensure excellent management of legal information resources, providing training and support to research staff, empowering their work, and ensuring best use of those resources.

5. Ensure continued and effective operation of the Commission's financial management systems and ongoing implementation of the Code of Practice for State Bodies 2016.
6. Keep the Commission's IT infrastructure under review and ensure it continues to provide a robust foundation for the delivery of IT services under *GovTech policy*.
7. Implement Civil and Public Service reform initiatives.
8. Take account of the recommendations from the IPA Governance Report on the Commission in 2023.

NOTE

The Head of Administration has overall responsibility and accountability for meeting the administration aspects of this key objective.

The Library and Legal Information Manager has responsibility for meeting the library and legal information aspects of this objective.

KEY OBJECTIVE 5

COMMUNICATION AND OUTREACH

To cultivate collaborative relationships and extend our outreach within the legal community and the general public, thereby enhancing the visibility and impact of the Law Reform Commission's work.

Outcome

Greater transparency and visibility of the Law Reform Commission's work, and increased engagement with stakeholders, the legal community and society at large.

Performance Indicators

1. Enhanced engagement with stakeholders and the public.
2. Increased awareness leading to better understanding of the Commission's impact.
3. Increased number of partnerships and collaborations formed with other organisations.

Strategy

1. Foster collaborative relationships with other law reform commissions.
2. Establish and maintain regular communication with key stakeholders involved in Commission projects to build strong relationships.
3. Leverage the potential of the Commission's social media channels to enhance public awareness of our work.
4. Continue our commitment to the Access Internship scheme and engage with any similar opportunities.
5. Strategically plan for the 50th anniversary of the Commission in 2025 and promote associated activities effectively.
6. Monitor and promote implementation of Commission recommendations by Government.

NOTE

The Full-Time Commissioner has overall responsibility and accountability for meeting this Key Objective.

MONITORING ARRANGEMENTS

The following arrangements will apply over the lifetime of this Strategy Statement:

- The Commission will systematically monitor and review its progress towards the achievement of its Key Objectives and the associated outcomes and strategies. Key performance indicators have been set out against which the performance of the Commission will be assessed over the period.
- The Management Committee (comprising the full-time Commissioner, Head of Administration, Director of Research, Library and Legal Information Manager, Deputy Directors of Research, Access to Legislation Manager, Deputy Access to Legislation Managers) will review progress made in implementing the various elements of this strategy statement, including meeting Key Objectives, on a quarterly basis.
- The Management Committee will report on progress periodically to the Commission and will immediately bring to its notice any major problems, threats or opportunities emerging.
- The Commission will, before the end of each year and in consultation with the Management Committee, review this Statement to consider any changes needed for the following year, thereby allowing the Commission to respond in a flexible way to changes in the operating environment.
- The Commission's statutory Annual Report will report on progress toward achieving the Key Objectives and outcomes.